

FROM	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 417 EAST FAYETTE STREET, 8 TH FLOOR		
	SUBJECT	BMZA / 104-106 Water Street		

TO

Mr. David Tanner, Executive Director
Board of Municipal and Zoning Appeals
417 East Fayette Street, 14th Floor

DATE: September 12, 2013

REQUEST

The Department of Planning has received Ricardo Cavazos' Board of Municipal and Zoning Appeals (BMZA) application to consolidate lots and use the combined properties as a tavern and five dwelling units. The Zoning Administrator has determined a variance of Zoning Code off-street parking requirements is needed for approval of this application. We understand that this appeal is scheduled for hearing on September 17, 2013.

SITE

104-106 Water Street is located on the north side of the street, approximately 33' east of the intersection with Light Street. 104 Water Street measures approximately 14' by 69' and is currently improved with a four-story attached commercial building covering the entire lot. 106 Water Street measures approximately 20'10" by 65' and is currently improved with a four-story attached commercial building covering the entire lot. This site is zoned B-4-2 and is located within the Central Business District Urban Renewal Plan area and the Business and Government Center National Register Historic District.

ANALYSIS

Use: In this zoning district, dwellings are a permitted use, and so are allowed (§6-506). In this case, the property was last authorized for use as a tavern and offices, which are permitted uses in this B-4 Central Business District.

Urban Renewal Plan: This property is located in the Central Business District Urban Renewal Area, where the Urban Renewal Plan does not prohibit or further restrict the proposed use in this district.

Off-Street Parking: ... whenever the existing use of a structure is changed to a new use, off-street parking facilities must be provided, as required by this title, for that new use (§10-203.a). If the structure was lawfully erected before April 20, 1971, additional off-street parking facilities are mandatory only in the amount by which the requirements for the new use exceed those for the existing use (§10-203.b). In this zoning district, multiple-family dwellings require one off-street parking space per 4 dwelling units (§10-405.1.iv). For five dwelling units, one parking space is required; none are or can be provided.

Off-Street Parking Variance: ... the Board may grant a variance to reduce by no more than 75% the number of off-street parking spaces otherwise required by the applicable regulation (§15-208.b). In this case the reduction proposed is 75%, which is within the variable amount the Board may authorize. The Department of Planning notes that this site is very well-served by public transportation, with numerous employment locations within less than ten minutes' walking time from it, and is also close to several downtown parking garages.

TransForm Baltimore: This property would become part of the C-5-TO District (Proposed Zoning Map Area 14-B) in which multi-family dwellings would be permitted uses (Table 10-301). The C-5 Districts would be exempt from off-street parking requirements (§16-601).

Historic District: The property is located in a designated historic district, and so may be eligible for historic tax credits for restoration and renovation. The appellant is encouraged to contact the Baltimore Commission for Historical and Architectural Preservation before proceeding with any improvements which may be authorized as a result of this appeal.

RECOMMENDATION

The Department of Planning recommends approval of this appeal.

TJS/wya/mf

cc: Ricardo Cavazos, Appellant